

Some Researchers Insist Oswald Could Not Have Done It Alone

By Lee Winfrey 11-14-73

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The Warren Report is like an old used car: It rattles a lot and the tires are thin, but it's still running.

Ten years after the assassination of President John F. Kennedy the report remains the authoritative account of his death. A decade of criticism has failed to overturn it.

Across the nation, from Fire Island to Wounded Knee, from Haverford, Pa., to Belleville, Mich., some critics remain convinced that the report is a tent of lies, concealing rather than revealing the truth. Sylvia Meagher, Josiah Thompson, Mark Lane, Dr. Cyril Wecht, Dr. E. Forrest Chapman, Bob Smith, Bud Fensterwald and Penn Jones Jr. — these are only a few of the researchers who do not believe that Lee Harvey Oswald "acted alone," as the report asserts, on Nov. 22, 1963, when Kennedy died in Dallas.

Yet a tenth-anniversary review of the Warren Report, including a reassessment of the evidence and interviews with the critics, leaves standing the conclusion that, although some questions remain and some of the report's findings are debatable, no acceptable alternative has been found that explains the assassination better than the report.

THE REPORT IS a vast tableau: 888 pages with 26 volumes of supporting testimony behind it, including interviews with 552 witnesses. It is often microscopically detailed, at one point even offering an analysis of Oswald's pubic hair.

There are holes in it, questions unanswered and wonders that remain. Some of them:

• Who was the Umbrella Man? Why has he never been identified? Was he a co-conspirator?

• Who was the unknown man that the CIA photographed in Mexico City before the assassination and misidentified as Oswald? Was he another plotter?

• Where is the brain of John F. Kennedy? It was not buried with him, but government agencies will not say where it is now. Several physicians who doubt the report believe the brain might show the marks of other bullets besides Oswald's.

• How could one bullet pass through the bodies of two men (Kennedy and John B. Connally, who was then the governor of Texas) and emerge looking virtually like new? Could this bullet be a piece of false evidence that was planted?

• Why should anyone believe a report that Kennedy was assassinated by a lone gunman, Lyndon B. Johnson, the man who ordered it prepared?

Umbrella Man

Roughly 400 persons were in or around Dealey Plaza, a three-acre park in downtown Dallas, when Kennedy was slain there at 12:30 p.m. on a Friday. The names of more than 250 are known. Of those unknown, the Umbrella Man is the most puzzling.

The dark blue Lincoln limousine carrying Kennedy was fired on as it approached a sign saying "Stemmons Freeway — Keep Right." Standing next to the sign was a man holding an open umbrella.

The sun was shining and the sky was cloudless. Rain had stopped falling almost three hours before. In all the hundreds of photographs taken along the route of Kennedy's motorcade through Dallas, the Umbrella Man is the only person seen with an open umbrella.

In photos taken immediately after the shooting, his umbrella is closed. Several critics of the Warren Report suspect that the opening of his umbrella by the Umbrella Man may have been a signal for the gunfire to commence.

The Umbrella Man was middle-aged, in his late 30s or early 40s, dressed conservatively in a dark suit. He walked away after the assassination and he has never been identified, nor questioned about his puzzling behavior.

The CIA Photos

Oswald, who travelled widely, made his last foreign trip less than two months before the assassination. He was in Mexico City from Sept. 27 until Oct. 2, 1963, vainly applying for a visa to travel to Cuba and Russia.

Four days before the assassination, the FBI received a report on Oswald's visit to the Cuban Embassy in Mexico City. The report included photos, taken by a CIA surveillance camera across the street from the Cuban Embassy on Sept. 27, of a man whom several CIA identified as Oswald.

It obviously is not Oswald. It is an older, heavier man. Quizzed after the assassination, the CIA official who took the photos said the embassy had identified the man as Oswald.

The CIA has never learned, or at least never revealed, the man's real identity, nor disclosed exactly how he was misiden-

tified. Critics wonder if he was a secret associate of Oswald, and whether they might have met and plotted while they were both in Mexico City at the same time.

Missing Brain

No physician has seen Kennedy's brain since shortly after the autopsy that was performed on the President the day he died. Two sources who know the whereabouts of all the other assassination evidence do not know the whereabouts of the brain.

The National Archives holds virtually all the assassination evidence, including such grim artifacts as Oswald's rifle and the three bullet fragments involved in the case.

Asked about the brain, archivist Marion Johnson said, "We don't have it and I don't know where it is." Burke Marshall, former assistant U.S. attorney general who is now on the faculty of Yale Law School, represents the Kennedy family in matters pertaining to the assassination. Asked about the whereabouts of the brain, Marshall said, "I can't answer that question. I have never asked that question of the family and I do not know."

The Warren Report concludes that both bullets that hit Kennedy came from behind him, from the Texas School Book Depository where Oswald worked. Some critics think that the brain, if it were made available for examination, might show evidence of a shot from the front, from the spot in Dealey Plaza commonly called "the grassy knoll."

That Bullet

The Warren Commission decided that the first bullet that wounded Kennedy hit him in the back, near the neck, then hit Connally in the back, went through Connally's body and broke his fifth right rib, went through Connally's right wrist where it broke the radius bone, and finally lodged in Connally's left thigh.

By far the most controversial piece of

assassination evidence is this bullet, called Exhibit 399 by the Warren Commission and dubbed "the magic bullet" by sarcastic critics. Some of the reasons:

- Although this bullet is supposed to have passed through several layers of skin and broken two bones, it still is in almost perfect condition. Test bullets, fired for comparison through the wrist of a cadaver and the chest of a goat, were both mashed up and defaced.



Exhibit 399

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- Despite passing through all this skin and bone — plus two suit coats and two shirts, Kennedy's tie and Connally's sleeve and pants leg — the bullet when found did not have any blood, tissue or threads on it. It was clean.

Unlike the other two bullet fragments involved in the case, Exhibit 399 was not found in the presidential limousine. It was found on a stretcher at Parkland Memorial Hospital, supposedly after falling out of Connally's thigh. Some critics suspect it was a piece of false evidence planted there, possibly by Oswald's assassin, Jack Ruby.

Johnson's Doubts

In a recent issue of the Atlantic Monthly, Leo Janos, a former member of President Johnson's staff, quoted Johnson as having said, "I never believed that Oswald acted alone, although I can accept that he pulled the trigger." Janos said Johnson believed that Kennedy was killed in retaliation for an unsuccessful CIA assassination plot against Cuban Premier Fidel Castro.

Johnson's doubts were shared by at least one member of the Warren Commission, the late Sen. Richard B. Russell of Georgia. In 1970, Russell said of Oswald, "I think that someone else worked with him."

SINCE THE WARREN REPORT was issued in 1964, the 18-month investigation that cost \$1.8 million, there have been two and possibly three stages in public attitude toward it.

In the first stage, there seemed to be skepticism and doubt, fed by the publica-

tion of such critical books as Edward Jay Epstein's "Inquest" and Mark Lane's "Rush to Judgment," both in 1966; and Josiah Thompson's "Six Seconds in Dallas" and Sylvia Meagher's "Accessories After the Fact," both in 1967.

This stage perhaps ended for some in 1969, when a New Orleans jury acquitted Clay L. Shaw on charges brought by District Atty. Jim Garrison that Shaw conspired with Oswald to murder Kennedy.

The case brought by Garrison was widely judged a farce. Although several critics including Ms. Meagher steered clear of Garrison, others including Lane backed the swashbuckling DA. In the fallout following the Shaw trial, there seemed to be public rejection of all Warren Report critics in general.

Now a third stage seems to be coming up. No one, however, is exactly sure of its shape. Part of this quandry is due to the Watergate scandal.

WATERGATE, a great segment of the public has concluded, has manifestly demonstrated that the federal government is quite capable of lying, destroying evidence and obstructing justice. Critics hope that the public will thus be more moved to re-examine the Kennedy case.

There is another side to the Watergate question, however, which cuts the other way. If the Watergate plotters failed so conspicuously to cover up a petty burglary, how can anyone believe that some cabal of plotters against Kennedy could have gotten away with murdering a president in full public view?

Time is now taking away important figures in the case. If anything more was involved than simply Oswald's lone action, soon graves may hold the secret. Already further testimony is no longer available from some figures:

- Two days after the assassination, Dallas nightclub owner Jack L. Ruby shot Oswald fatally, in the basement of the Dallas police station, in a murder seen live on television. On Jan. 3, 1967, Ruby himself died of cancer at age 55 in Parkland Memorial Hospital, the hospital where both Kennedy and Oswald died.

- Abraham Zapruder took perhaps the most famous amateur movie ever made, 22 seconds of silent color film which shows Kennedy being shot. He sold it to Life Magazine for \$150,000 and, except at the Clay Shaw trial, it has not been publicly shown in full, though Life published many frames from it.

Zapruder, who owned a dress shop in a building across the street from the Texas School Book Depository, died of cancer at age 66 in Dallas on Aug. 30, 1970.

- After the assassination, Oswald caught a cab ride home in a taxi driven by William W. Whaley. On Dec. 18, 1965, Whaley was shot and killed by a sniper on the Thirty River bridge in Dallas.

- Earlene Roberts was the housekeeper at the rooming house at 1026 N. Beckley St. in Dallas where Oswald lived. In an incident never entirely explained, she testified that after Oswald reached home via

Whaley's cab, a Dallas police car pulled up in front of the house, honked its horn several times as though in signal, and slowly drove away.

On Jan. 10, 1966, Mrs. Roberts died of an apparent heart attack at the age of 60.

- Thirteen days before the assassination, a Dallas auto salesman named Albert Guy Bogard gave a demonstration ride to a prospective customer who gave his name as Lee Oswald and said he expected to have money enough to buy a car soon. The Warren Commission subsequently concluded that this was not Lee Harvey Oswald.

On Feb. 14, 1966, St. Valentine's Day, Bogard committed suicide in a cemetery in Hallville, La., by running a hose into his car from the exhaust pipe. He was 41.

Connally's View

STILL ALIVE AND WELL, however, is a most important witness whose testimony was contradicted by the Warren Report: the former governor of Texas, John B. Connally.

The cornerstone of the Warren Report is "the single-bullet theory," the argument that one single bullet, the one called Exhibit 399, drilled through the bodies of both Kennedy and Connally.

Neither Connally nor his wife Nellie, who were sitting in front of Kennedy and his wife Jackie in the death car, believes in the single-bullet theory. Said Connally, in an article in Life Magazine on Nov. 25, 1966:

"They talk about the 'one-bullet' or 'two-bullet theory,' but as far as I'm concerned there is no theory: There is my absolute knowledge and Nellie's too, that one bullet caused the President's first wound, and that an entirely separate shot struck me."

Connally was unavailable for an interview in connection with this story. But he said in that same Life article, "It's a certainty. I'll never change my mind."

No eyewitness in Dealey Plaza testified that one bullet struck both the President and the governor. Despite their views—and although there was no eyewitness testimony specifically buttressing the single-bullet theory—the Warren Commission went ahead with the single-bullet theory as the keystone of its case. For in the words of Norman Redlich, an assistant counsel who wrote more of the Warren Report than anyone else, "To say that they were hit by separate bullets is synonymous with saying that there were two assassins."

EXPLAINING WHY this is true is a little complicated, but here is an attempt:

To begin with, it should be remembered that no one can be absolutely certain how many shots were fired that day. No one had a tape recorder playing and no movie cameras were using sound film. There is no audio record of the assassination.

After a long and complicated series of counts of the number of bullets fired, the Warren Commission finally decided that Oswald fired three shots. They did so in part because three shells were found in the sixth-floor corner of the Texas School Book Depository from which it is believed he fired.

The initial FBI report on the case said the first and last shots hit Kennedy and the middle one struck Connally. The Warren Commission finally decided, however, that one shot hit both Kennedy and Connally; one missed; and another, the fatal shot, hit Kennedy in the skull.

Another complication, besides the lack of a sound record of the shots, is that the Zapruder film, the best available visual record of the assassination, does not show the moment when Kennedy was first hit.

It shows the final fatal shot; in the now-famous frame 313, the President's head explodes in a corona of blood.

But earlier, when first hit, Kennedy is blocked off from Zapruder's view by a sign, which has since been removed from Dealey Plaza, saying, "Steinmons Freeway — Keep Right."

WHEN KENNEDY REAPPEARS from behind the sign in Frame 225 of the Zapruder film, he has already been hit, his right hand rising toward his wounded neck.

He is behind the sign for only one second. But since Oswald's bullets travelled 2,165 feet per second, the instant Kennedy was hit by the first shot cannot be pinned down with the certainty of the later head shot in Frame 313.

Repeated tests show that Oswald's bolt-action, mail-order \$21.45 rifle could not be made to fire any faster than once every 2.3 seconds. Time measurements of the Zapruder film show beyond doubt, however, that there are less than 2.3 seconds between the earliest instant Kennedy could have been hit, and the latest Connally could have been struck.

Kennedy is obviously all right in Frame 206, the last one in which he is visible before passing behind the sign. Connally is obviously wounded by Frame 236, in which his mouth flies open in pain. Since Zapruder's film rolled through his camera at the rate of 18 frames per second, there is less than two seconds between these frames.

Therefore either Oswald hit them both with one shot, with Connally showing a more delayed reaction than Kennedy, or there was another gun involved and both men were hit by separate shots.

THE CREATOR OF the single-bullet theory was Arlen Specter, an assistant counsel to the Warren Commission, who is now finishing up eight years as Philadelphia district attorney after losing a race for re-election this month. Interviewed for this story, Specter said he has not changed any of his opinions since the report was issued, and still believes that the single-bullet theory is valid.

Specter's strongest argument is the fact that his theory, alone of all the speculations in the case, fits with the physical evidence in the case — the three bullet fragments found.

These three are Exhibit 399, an almost-whole bullet weighing 158.6 grains, and two small mangled pieces, one weighing 44.6 grains and the other 21. (An unfired bullet from Oswald's rifle weighed 160 to 161 grains, or slightly more than one-third of an ounce.)

HERE IS THE WAY Specter fits the three fragments into his theory:

Exhibit 399 went through Kennedy's neck and Connally's chest and wrist and stopped in his thigh. The other two fragments are shattered pieces of the bullet that smashed Kennedy's skull. The other shot missed and that bullet was lost somewhere outside the presidential limousine.

The courses of the wounds through Kennedy's neck and Connally's chest are both on downward paths, so the bullet or bullets that caused them had to stop in the car. If another bullet was involved, where is it? Where did it go?

As one of the Warren Report critics, Richard H. Popkin, has conceded, "For those who do not accept the Commission's one-bullet hypothesis, there is a genuine problem of explaining where the bullets went."

Specter doesn't have that problem. His hypothesis covers them all. In the absence of a more convincing counter-argument, his theory has stood the test of a decade.

Other Leads

Two recent leads that failed to pan out are examination of the photographs and X-rays of Kennedy's official autopsy, and the rumor that Oswald was an informant on the payroll of the FBI.

The first lead arose from the fact that two sets of doctors saw Kennedy's body, but neither saw all of his wounds.

Dallas doctors, who were civilians, first saw Kennedy's body when he was brought wounded to Parkland Memorial Hospital. While they strove vainly to save his life, he lay face upward and they never turned him over. So the Dallas doctors never saw the wound in his back.

Trying to help the dying president breathe, the Dallas doctors performed a tracheostomy, which means cutting a hole in the windpipe. The place they chose to cut was across the wound in Kennedy's neck.

WHEN THE BODY reached Bethesda Naval Hospital, the three military doctors who performed the autopsy did not notice the neck wound because it was obscured by the tracheostomy incision. So they saw only the wound in the back, and obviously, the gaping wound in Kennedy's head.

The two sets of doctors did not consult with one another and get their signals straight until after the autopsy was over and the body was gone, on its way to be prepared for burial in Arlington National Cemetery.

The Warren Report subsequently reconciles their examinations by deciding that the back wound marked the entrance of the bullet called Exhibit 399, and the neck wound marked its exit.

Some skeptics suspected the Commission got it backwards, however, and that Kennedy was shot through the neck from the front. They also wondered if he could not have been shot in the head from the front.

The key, supposedly, lay in the autopsy and X-ray photographs taken of Kennedy — photographs locked up in the National Archives and forbidden to public view. These photographs were not even shown to the Warren Commission. The ban on them was not lifted until last year.

To date, only three non-government physicians have been permitted to see these two sets of photographs. They are Dr. John K. Lattimer of New York in January 1972; Dr. Cyril H. Wecht of Pittsburgh in August 1972; and Dr. E. Forrest Chapman of Belleville, Mich., in July 1973.

In a lengthy article published in the May 1972 issue of the magazine *Resident and Staff Physician*, Dr. Lattimer declared that his examination "brought to light no basic discrepancies in the concepts put forth in the Warren Commission Report."

His article included sketches of the X-rays.

DYED-IN-THE-WOOL critics brushed Lattimer's findings aside however, declaring that he was a patsy who had made known his favorable attitude toward the Warren Report beforehand. They were willing to place more faith in Wecht and Chapman, both qualified pathologists who do not believe that the Warren Report is true. Lengthy interviews with Wecht in Pittsburgh and Chapman at his home in Belleville, however, disclosed that neither now questions the basic accuracy of the drawings and physical measurements in Lattimer's article.

Neither Wecht nor Chapman believes that Oswald "acted alone." But they both concede that there is nothing in the autopsy photographs and X-rays to prove he didn't.

ANOTHER SPECULATION that has fascinated Warren Report critics for years is the rumor that Oswald was a secret informer paid by the FBI.

Texas State Atty. Gen. Waggoner Carr and Dallas District Atty. Henry Wade relayed to the commission a story that Oswald had been an FBI informant since September 1962; that he was on the FBI payroll at \$200 a month on the day he was arrested; and that he had been assigned an FBI informant number, S-179.

Epstein justifiably criticized the commission's investigation of this tip as ridiculously inadequate. Essentially, the commission asked FBI Director J. Edgar Hoover about it and he said it wasn't true. Chief Justice Earl Warren, commission chairman, refused to even look at Oswald's FBI file. The commission never questioned the apparent source of the Carr-Wade tip, a newspaper reporter in Houston named Alonzo Hudkins.

Last week I talked to Hudkins on the phone in Baltimore, where he is a reporter for the *News-American*. "I think Oswald was either a stoolie for the FBI or the CIA and turned out to be the greatest double agent of all time," he said.

He declined to name the exact source for his belief, but said, "I was told by several sources from at least four different agencies — the (Dallas) city police, the sheriff's office, the DA's office and one federal agency."

When I asked him his source for Oswald's informant number, Hudkins said he and three associates "made up the number."

"I've never told anybody about making up the number until this week," Hudkins said. He said he had no idea where the figure of \$200 a month as Oswald's pay came from, that he wasn't the source of that.

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Maybe, just maybe, Oswald was an informer for the FBI. But obviously the original tip was much flimsier than the way it has been standing in print for the last few years.

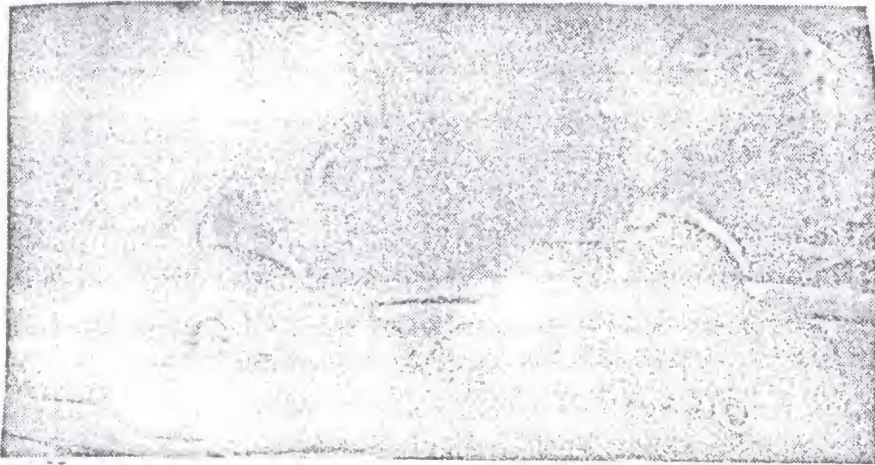


Diagram of the mystifying bullet's presumed course is imposed on a photograph taken during an FBI reenactment of the assassination. Bullet entry spots were marked on the unidentified men portraying Kennedy and Connally.